

**PATENT**

CERTIFICATE OF MAILING

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*Jane A. Walker*  
Jane A. Walker

May 4, 2004  
Date

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Serial No.: 10/751,232  
Filed: January 2, 2004  
Art Unit: 1642  
Examiner: Unknown  
Applicant: Achilefu et al.  
Conf. No.: 2153  
Title: **LIGHT SENSITIVE COMPOUNDS FOR INSTANT  
DETERMINATION OF ORGAN FUNCTION**  
Att'y Dock: MRD-57CP

Cincinnati, Ohio 45202

May 4, 2004

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

**INFORMATION DISCLOSURE STATEMENT**

In accordance with the duty of candor and good faith imposed by Rule 56 (37 CFR §1.56), the art listed on the attached form PTO-1449 is called to the attention of the U.S. Patent and Trademark Office in connection with the above identified patent application. Copies of the required cited references are attached hereto.

No representation is made that the cited art is the only art or that the cited art represents the best art.

The Examiner is urged to consider the cited references and to make an independent decision with respect to their materiality.

Applicants do not believe there is any fee due witht his submission. Should any fees or surcharges be deemed necessary, Examiner has authorization to charges fees or credit any overpayment to Deposit Account No. 23-3000. The Examiner is invited to telephone the undersigned attorney if there are any questions or issues.

Respectfully submitted,

WOOD, HERRON & EVANS, L.L.P.

By: Beverly A. Lyman  
Beverly A. Lyman, Ph.D.  
Reg. No. 41,961

WOOD, HERRON & EVANS, L.L.P.  
2700 Carew Tower  
Cincinnati, OH 45202  
(513) 241-2324  
(513) 421-7269 facsimile

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SUBSTITUTE FORM PTO-1449 (MODIFIED)		U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE		ATTY. DOCKET NO. MRD/57CP		SERIAL NO. 10/751,232	
INFORMATION DISCLOSURE STATEMENT BY APPLICANT (Use several sheets if necessary)				APPLICANT Samuel Achilefu et al.			
				FILING DATE January 2, 2004		GROUP 1642	

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 PATENT & TRADEMARK OFFICE

U.S. PATENT DOCUMENTS													
EXAMINER INITIAL		PATENT NUMBER							ISSUE DATE	PATENTEE	CLASS	SUBCLASS	FILING DATE IF APPROPRIATE
	A.A	4	5	7	4	1	2	4	03/1986	Kabbe et al.	514	228	01/23/84
	A.B	5	3	4	6	8	0	1	09/1994	Watanabe et al.	430	253	03/18/93
	A.C	5	3	9	5	6	1	9	03/07/95	Zalipsky	424	450	03/03/93
	A.D	5	4	9	2	8	1	4	02/20/96	Weissleder	435	725	11/03/92
	A.E	5	6	3	1	0	1	8	05/20/97	Zalipsky et al.	424	450	10/04/94
	A.F	5	8	4	0	0	2	3	11/24/98	Oraevsky et al.	600	407	01/31/96
	A.G	5	9	7	7	5	3	8	11/02/99	Unger et al.	250	227.2	05/11/98
	A.H	6	1	5	0	4	0	5	11/2000	Proctor	514	474	06/07/95
	A.I	6	1	8	0	0	8	6	01/2001	Achilefu et al.	424	9.6	
	A.J	6	1	8	0	0	8	7	01/2001	Achilefu et al.	424	9.6	
	A.K	6	1	8	0	0	8	5	01/2001	Achilefu et al.	424	9.6	

FOREIGN PATENTS OR PUBLISHED FOREIGN PATENT APPLICATIONS							
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	A.L						
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	A.Q						

OTHER DOCUMENTS (Including Author, Title, Date, Place of Publication)	
A.R	Christopher C. Baker, M.D., <u>Epidemiology of Trauma Deaths</u> , Amer. Jour. of Surg., Vol. 150, 1980, pp. 144-150
A.S	John Baldas et al, <u>Preparation, HPLC Studies and Biological Behaviour of 99mTc- and 99mTcN-radiopharmaceuticals Based on Quinoline Type Ligands</u> , Nucl. Med. Biol., Vol. 19, No. 4, 1992, pp. 491-496
A.T	Braun-Falco et al., <u>Liposome Dermatics</u> , Greisbach Conference, Springer-Verlag, 1992, pp.69-117

EXAMINER	DATE CONSIDERED
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	B.A	6	1	8	3	7	2	6	02/2001	Achilefu et al.	424	9.6	
	B.B	6	1	9	0	6	4	1	02/2001	Achilefu et al.	424	9.6	
	B.C	6	2	1	7	8	4	8	04/2001	Achilefu et al.	424	9.1	
	B.D	6	2	5	8	3	7	8	07/10/01	Schneider et al.	424	450	02/03/99
	B.E	6	2	6	4	9	1	9	07/2001	Achilefu et al.	424	9.6	
	B.F	6	2	7	7	4	0	3	08/21/01	Perez Mendez et al.	424	450	01/16/98
	B.G	6	3	9	5	2	5	7	05/2002	Achilefu et al.	424	9.6	
	B.H	6	4	0	6	7	1	3	06/18/02	Janoff et al.	424	450	04/28/95
	B.I	6	6	1	0	3	2	2	08/26/03	Keller et al.	424	450	12/20/00
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OTHER DOCUMENTS (Including Author, Title, Date, Place of Publication)													
	B.R	Frank B. Cerra, M.D., <u>Multiple Organ Failure Syndrome</u> , New Horizons: Multiple Organ Failure, Society of Critical Care Medicine, 1989, pp. 1-24											
	B.S	Peter L. Choyke et al., <u>Hydrated clearance of gadolinium-DTPA as a measurement of glomerular filtration rate</u> , Kidney International, Vol. 41, 1992, pp. 1595-1598											
	B.T	Cdr. P.D. Doolan, MC, USN, et al., <u>A Clinical Appraisal of the Plasma Concentration and Endogenous Clearance of Creatinine</u> , Amer. Jour. of Med., Vol. 32, 1962, pp. 65-79											
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OTHER DOCUMENTS (Including Author, Title, Date, Place of Publication)							
	C.R	Richard B. Dorshow et al., <u>Monitoring physiological function by detection of exogenous fluorescent contrast agents</u> , Optical Diagnostics of Biological Fluids IV, A. Priezzhev and T. Asakura, Eds., Proceedings of SPIE, 1999, Vol. 3599, pp. 2-8					
	C.S	Dorshow et al., <u>Optical Detection of Hepatic and Renal Function</u> , Bull. Am. Phys. Soc., Vol. 42, No. 1, (1997) p. 681					
	C.T	Richard B. Dorshow et al., <u>Noninvasive Fluorescence Detection of Hepatic and Renal Function</u> , Journal of Biomedical Optics, Vol. 3, No. 3, 1998, pp. 340-345					
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OTHER DOCUMENTS (Including Author, Title, Date, Place of Publication)							
	D.R	James H. Flanagan, Jr., et al., <u>Near-Infrared Heavy-Atom-Modified Fluorescent Dyes for Base-Calling in DNA-Sequencing Applications Using Temporal Discrimination</u> , Anal. Chem., Vol. 70, No. 13, 1998, pp. 2676-2684					
	D.S	P. Guesry et al., <u>Measurement of glomerular filtration rate by fluorescent excitation of non-radioactive meglumine iothalamate</u> , Clinical Nephrology, Vol. 3, No. 4, 1975, pp. 134-138					
	D.T	L.Hansen et al., <u>Synthesis of the Sulphonate and Phosphonate Derivatives of Mercaptoacetyltriglycine, X-Ray Crystal Structure of <math>\text{Ha}_2[\text{ReO}(\text{Mercaptoacetylglcylglycyl}^{\text{Aminomethanesulphonate})}]\cdot 3\text{H}_2\text{O}</math></u> , Metal-Based Drugs, Vol. 1, No. 1, 1993, 31-39					
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	E.R	Lasic & Martin , Eds., <u>Stealth Liposomes</u> , CRC Press, 1995, pp. 1-6, 13-62, 93-147, 197-209, 233-244					
	E.S	Richard Lewis et al., <u>Comparative Evaluation of Urographic Contrast Media, Inulin, and 99mTc-DTPA Clearance Methods for Determination of Clomerular Filtration Rate in Clinical Transplantation</u> , Transplantation, Vol. 48, No. 5, 1989, pp. 790-796					
	E.T	S. Lundqvist et al., <u>Iohexol Clearance for Renal Function Measurement in Gynaecologic Cancer Patients</u> , Acta Radiologica, Vol. 37, 1996, pp. 582-586					
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F.R	Joanna Malicka, et al., <u>Metal-enhanced emission from indocyanine green: a new approach to in vivo imaging</u> , Journal of Biomedical Optics, Vol. 8, No. 3, July 2003, pp. 472-478
F.S	G. Muller et al. (ed.), <u>Medical Optical Tomography, Functional Imaging and Monitoring</u> , SPIE Optical Engineering Press, The International Society of Optical Engineering, Bellingham, WA 1993
F.T	Roland Muller-Suur et al., <u>Glomerular Filtration and Tubular Secretion of MAG-3 in the Rat Kidney</u> , The Journal of Nuclear Medicine, Vol. 30, 1989, pp. 1986-1991

  

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	G.R	Dennis L. Nosco et al., <u>Chemistry of technetium radiopharmaceuticals 1: Chemistry behind the development of technetium-99m compounds to determine kidney function</u> , Coordination Chemistry Reviews, Vol. 184, 1999, pp. 91-123					
	G.S	Carlos A. Rabito et al., <u>Renal Function in Patients at Risk of Contrast Material-induced Acute Renal Failure: Noninvasive, Real-Time Monitoring</u> , Radiology, Vol. 186, No. 3, 1993, pp. 851-854					
	G.T	G. Regel, M.D., et al., <u>Treatment Results of Patients with Multiple Trauma: An Analysis of 3406 Cases Treated between 1972 and 1991 at a German Level 1 Trauma Center</u> , The Journal of Trauma, Vol. 38, No. 1, 1995, pp. 70-77					
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	H.R	G.A. Reynolds et al., <u>Stable Heptamethine Pyrylium Dyes That Absorb in the Infrared</u> , J. Org. Chem., Vol. 42, No. 5, 1977, pp. 885-888					
	H.S	Francoise Roch-Ramel et al., <u>Renal excretion and tubular transport of organic anions and cations</u> , Oxford University Press, N.Y., Handbook of Physiology, Sec. 8, Neurological Physiology, Vol. II, E.E. Windhager, Ed., 1992, pp. 2189-2262					
	H.T	Morgan Sohtell et al., <u>FITC-inulin as a kidney tubule marker in the rat</u> , Acta Physiol. Scand., Vol. 119, 1983, pp. 313-316					
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	I.R	P.L. Southwick et al., "One Pot" Fischer Synthesis of (2, 3, 3-Trimethyl-3-H-Indol-5-yl)-Acetic Acid, Derivatives as Intermediates for Fluorescent Biolabels, Org. Prep. Proced. Int. Briefs, Vol. 20, No. 3, 1988, 279-284					
	I.S	W. Newlon Tauxe, Tubular Function, Nuclear Medicine in Clinical Urology and Nephrology, Appleton-Century-Crofts, Prentice-Hall, Inc., 1985, pp.-77-105					
	I.T	Nicholas L. Tilney, M.D., Acute Renal Failure in Surgical Patients, Causes, Clinical Patterns, and Care, Surgical Clinics of North America, Vol. 63, No. 2, 1983, pp. 357-377					
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OTHER DOCUMENTS (Including Author, Title, Date, Place of Publication)	
J.R	Michael F. Tweedle, Ph.D. et al., <u>A Noninvasive Method for Monitoring Renal Status at Bedside</u> , Investigative Radiology, Vol. 32, No. 12, 1997, pp. 802-805
J.S	Bruce E. VanZee, M.D. et al., <u>Renal Injury Associated with Intravenous Pyelography in Nondiabetic and Diabetic Patients</u> , Annals of Internal Medicine, Vol. 89, 1978, pp. 51-54
J.T	

  

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